



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

February 24, 2017

BY ECF

The Honorable Valerie E. Caproni
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *United States v. Joseph Percoco, et al.*, 16 Cr. 776 (VEC)

Dear Judge Caproni:

We write pursuant to the Court's order dated January 25, 2017, requiring that the Government update the Court weekly about the status of discovery in the above-captioned matter.

In its February 17, 2017 discovery status letter, the Government advised that, of the discovery material referenced at the initial pretrial conference, approximately 5,106 pages were left to be produced. The Government still anticipates that the remaining pages will be available to the defendants on or about February 28, 2017.

As noted in its previous discovery status letters, the Government's investigation is ongoing. Since the date of our first court conference, the Government has obtained approximately 23.9 GB of additional documents that the Government intends to produce pursuant to Federal Rule of Criminal Procedure 16. As of the date of this letter, the Government has made available through its discovery vendor approximately 5.63 GB of these documents. The Government is expeditiously processing the remainder of these documents so that they will be made available to the defendants as quickly as possible. In addition, the Government intends to promptly produce any additional documents it obtains that are subject to discovery.

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With respect to the potentially privileged materials discussed in the Government's February 10, 2017 discovery status letter, the Government, defendants, and third parties are adhering to the timetable set out in that prior letter, and the relevant parties are working expeditiously to release non-privileged documents and provide defendants with privilege logs for the remaining documents.

Respectfully submitted,

PREET BHARARA
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Southern District of New York

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cc: Counsel for all defendants (via ECF)